

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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CAN'T STOP PRODUCTIONS, INC.,

Plaintiff,

-against-

**SIXUVUS, LTD., ERIC ANZALONE,
ALEXANDER BRILEY, FELIPE ROSE,
JAMES F. NEWMAN, RAYMOND SIMPSON,
and WILLIAM WHITEFIELD,
Defendants,**

7:17-cv-06513-CS

**DECLARATION OF
KAREN L. WILLIS**

**KAREN L. WILLIS dba HARLEM WEST
ENTERTAINMENT**

Intervenor.
-----X

Pursuant to 28 U.S.C. 1746, Karen L. Willis, under penalty of perjury, swears to the truth of the following statements:

1. I am the Intervenor in this matter and owner and of CEO Harlem West Entertainment which holds an exclusive license for live performances under the Village People mark. I make this declaration in support of an immediate Stay of the Temporary Restraining Order entered in this action on December 14, 2017. I have personal knowledge of the facts and circumstances set forth herein.

2. I recently assembled a group of performers, including Victor Willis, the original lead singer of the iconic 1970s group, Village People, to put on live performances of songs originally performed by Victor Willis under the auspices of Village People.

3. Pyramid Entertainment serves as my booking agent and has informed me about the various attempts by the Sixxvus and their representatives to disrupt current bookings and performances of Village People featuring Victor Willis. The Sixxvus activities have in fact resulted in disruption and cancellation of at least one show.

4. Pyramid has informed me to essentially brace for additional cancellations as a direct result of the Sixxvus use of the TRO to disrupt my currently booked performances by informing promoters that there are two Village People now and the promoter should therefore reconsider its bookings with me and replace my booking with Village People featuring Ray Simpson.

5. I have personal knowledge of the Sixxvus verbal agreement with Can't and can state emphatically that the verbal license was exclusive and that no member of the Sixxvus was allowed to be a featured artist and that the Sixxvus had never featured any of its members in conjunction with the Village People mark prior to the termination of its verbal license on June 1, 2017 and the TRO of December 14, 2017.

6. My license with Can't Stop Productions, Inc. is for exclusive use of the Village People mark for live performances. This exclusivity is what was contracted and communicated to buyers and promoters prior to all of my bookings. I can't now, after the fact, inform these buyers that I don't have exclusive rights after all, without these buyers crying foul.

7. When Can't Stop terminated the Sixxvus license, I offered an opportunity for allow all of the Sixxvus members with the exception of one, to continue performing as Village People. The offered was refused by the Sixxvus.

8. In July 2017, I filed a takedown notice with Facebook for the removal of the Sixuvus so-called "OfficalVillagePeople" page on the ground that the Sixuvus rights for use of the Village People mark in any respect was terminated on June 1, 2017. Facebook immediately suspended the Sixuvus Official Village People page. The Sixuvus immediately file a counter notice stating that the Village People mark was the subject of a legal dispute. Facebook then restored the Sixuvus Village People page based on their representations. However, at the time there was no legal dispute by the Sixuvus at all. It was a complete false representation because such dispute related to the mark did not occur until six months later.

9. On January 9, 2018, I was forwarded the attached "Bulletin" issued by the Sixuvus's agent Carlos Keyes of Red Entertainment. The bulletin was issued to all of my contracted shows and hundreds of other buyers worldwide. The purpose of the bulletin is to disrupt my current bookings and slow down if not outright hamper additional booking opportunities. The Sixuvus would not be able to cause this type of disruption and confusion were it not for the recently issued TRO.

10. In June 2017, Felipe Rose, president of the Sixuvus, Ltd., represented to me as well as Jonathan Belolo that the Sixuvus intended to dissolve its corporation in response to the loss of their right to perform as Village People.

11. I relied on this representation by the Sixuvus that there would not be a challenge to their termination because the corporation would be dissolved in December 2017. See attached letter from Felipe Rose. I would have been more cautious about the booking of shows had the Sixuvus not led me to believe that the corporation was being dissolved and that no challenge would occur.

12. In fact, had the Sixuvus not represented that their corporation was being dissolved in December 2017, I would likely have immediately sought a declaratory judgment against the Sixuvus in order to head off their current shenanigans.

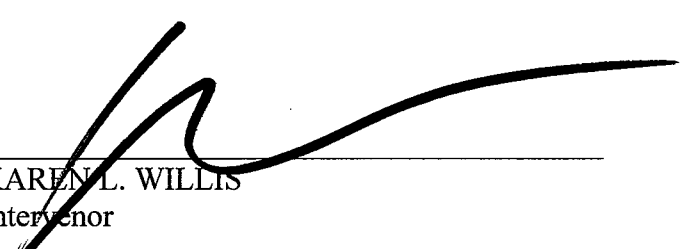
13. The Sixuvus is abusing the TRO and using it for unlawful purposes including tortuous interference with current and perspective contractual relations.

14. If the TRO is not stayed or dissolved, I will suffer immediate and irreparable.

Sworn to Under Penalty of Perjury Pursuant to 28 U.S.C. § 1746.

Dated: San Diego, California

January 11, 2018



KAREN L. WILLIS
Intervenor

From: Eric Godtland
Sent: Friday, July 21, 2017 7:53 PM
To: 'Felipe Rose'
Cc: smichaels@pyramid-ent.com ; 'Howard Krantz' ; 'Karen Willis'
Subject: RE: Fwd: Felipe Rose Agreement

Thank you for letting me know Felipe.

From: Felipe Rose [mailto:realfeliperose@gmail.com]
Sent: Friday, July 21, 2017 7:00 PM
To: Eric Godtland
Cc: smichaels@pyramid-ent.com; Howard Krantz
Subject: Re: Fwd: Felipe Rose Agreement

Dear Mr. Gotland:

After reviewing the contract
and giving it some thought today, I have decided that this it is not a good fit.

Thank for your interest in me and best of luck with your future endeavours.

Sincerely,

Felipe Rose

VILLAGE PEOPLE™ featuring RAY SIMPSON

Red Entertainment Agency - Bulletin

VILLAGE PEOPLE* featuring RAY SIMPSON



Dear Friends,

Please be informed that currently there are two (2) groups performing as Village People.

It is imperative that you verify the act you are hiring for your venue in order to make an informed decision before signing a contract. Sixuvus, Ltd. represents Village People* featuring Ray Simpson.

Our group is comprised of the names and faces you have worked with for many years and delighted your audiences:

Ray Simpson – Lead Singer and Cop (Since 1979)

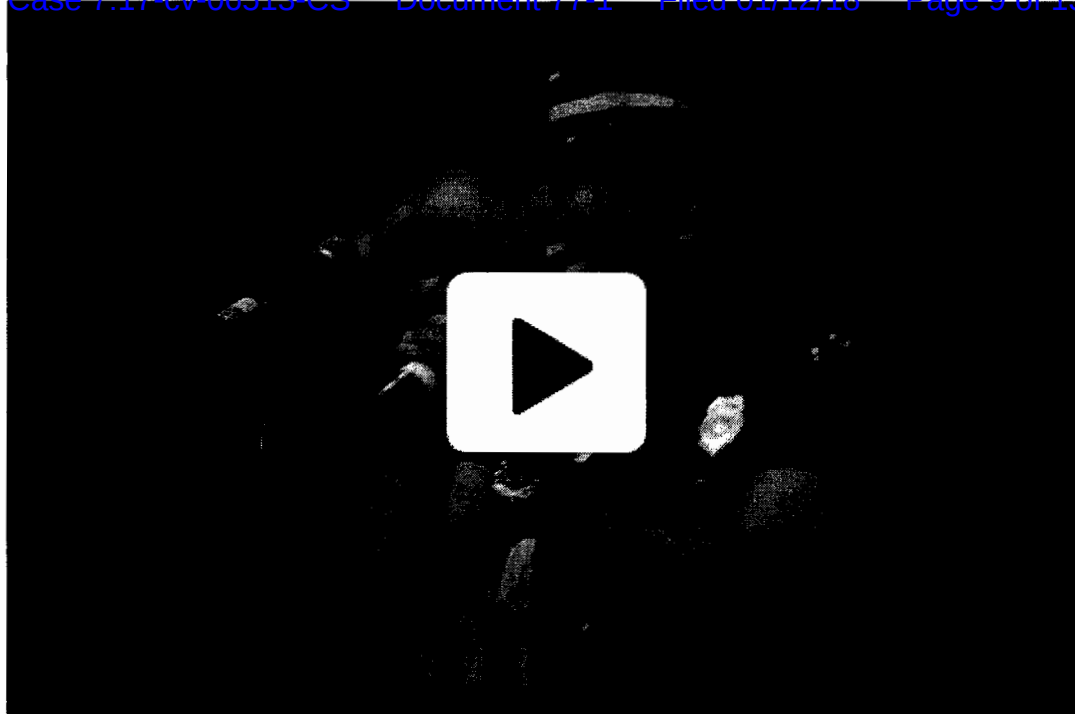
Alex Briley – GI (Original – Since 1977)

Felipe Rose – Native American (Original – Since 1977)

Eric Anzalone – Biker/Leatherman (Since 1995) Jim Newman – Cowboy (Since 2013)

Bill Whitefield - Construction Worker (Since 2013)

We are the performers that you and your audiences have come to recognize time and time again. But why take our word for it? Visit our Facebook page (facebook.com/officialvillagepeople) to see what the fans are saying about us. We welcome the opportunity to work with you on upcoming shows.



*The trademark Village People is the subject of litigation. There are two groups performing as Village People.



For available dates contact Carlos Keyes

carloskeyes@redentertainment.com

visit our website www.RedEntertainment.com

Tel: +1-212-563-7575 Fax: +1-212-563-9393



Red Entertainment Agency

New York, New York USA

[Unsubscribe](#)

From: [froese911](#)
Sent: Monday, June 26, 2017 7:20 AM
To: karen@harlemwestmusic.com
Subject: Fwd: Reaching out to you directly

Karen, thank you for taking my call, this is what I wrote to Jonathon.

Best to you both,

Sincerely

Felipe

Sent from my T-Mobile 4G LTE Device

----- Original message -----

From: froese911 <froese911@aol.com>
Date: 6/26/17 7:51 AM (GMT-05:00)
To: jonathanbelolo@me.com, Felipe Rose <froese911@aol.com>
Subject: Fwd: Reaching out to you directly

Dear Jonathan,

On June 20 2017, I expressed in an email sent to you that I was unable to respond to your email regarding the social media info you were requesting. I never personally had or currently have access to this information. I have reached out to Mitch Weiss for the needed info and he has not gotten back to me.

While we were in Ibiza, Eric Anzalone, I understand, sent to you the official Village People website administrative information which you received. During the afternoon of June 20th when I returned from a gig, I had a hospital checkup for my foot, and while there, I got a text from Ray Simpson that he did not want to wait for me to get back to you that evening, Jonathan, and that certain Sixxus Board Members decided that an email would be sent to you by David Fritz stating that, going forward, Sixxus would only communication with you through him.

So, without my knowledge of the content of letter (I never saw the letter before it went out) and without my permission, the other Sixxus Board members emailed you this official letter that you received at the end of the day on June 21st, and it included my name. Please understand that I did not agree to that emailed letter, but instead I encouraged the other Board Members not to send an email of that sort, and to meet on June 28th with you in person and figure out together a more amicable way to move forward.

I want to let you know that I am actually in favor of a different outcome. Please know that my wish is for this current line-up to perform with Victor Willis without Ray Simpson, and to try to get Randy Jones back. I still believe this is a great idea. As you know, I am still friends with Randy. This would allow for an easy transition, help Victor get his footing and get him back into show-shape and come out swinging. Meanwhile, we will all have the upper hand with the media and be able to celebrate Victor's return and better control the way it is interpreted by the media. I am confident that this is going to be a huge story.

Now, I am pondering this settlement offer that your attorney sent to Sixxvus (which I don't want sign). You and I both were moving in the right way to keep everyone headed in an amicable direction. I understood that the out-of-court settlement in San Diego meant that Victor Willis would be coming back into the group and that Ray Simpson would have to go. I was hoping that Ray would bow out a bit more gracefully and be a more appreciative that he had the chance to represent Victor Willis, the original Lead Singer and Song Writer of this iconic group. I would have thought Ray might use this opportunity to launch his solo career and showcase his own talents.

But please understand that Ray Simpson's response is not my response. I truly love my job as the original Native American in the group, and I enjoyed working with Victor. Victor Willis is the writer of the songs and the original lead singer, and he deserves a chance to sing them. I believe in second chances. I am also happy to own a picture with Victor and me at Village People's Star on the Hollywood Walk of Fame which is priceless to me.

I want to continue forward with Victor and Village People because it's something to which I have dedicated the last 40 years of my life, and it's who I am. It's who I've always been and who I will always be. I love my job. I love the fans who support us, I love the history of the group and I am so proud of all of the work we have done to help people around the world over the four decades. I am honored to be in Village People.

There are other members of the current line-up who, like me, want to move forward with Victor, and who will be very important to ensure an artistic, collaborative and smooth transition. Eric Anzalone, the biker and Bill Whitefield, the construction worker, are not all only wonderful and talented legit singers and dancers, but also, they both contribute to the day-to-day and show-to-show jobs. These jobs include sound checks, choreography rehearsals (all the classic moves of the hit songs), media appearances and travel issues to make sure that that Village People and the original lead singer look awesome on and off the stage. We all want Village People to continue to shine, and want a spectacular show with Victor and all the original songs and choreography to be delivered to a crowd that will go wild.

As you can imagine, besides Ray, the rest of us are curious what each of our future with Village People may hold after November 30th, 2017. This includes me. If I knew a bit more about what role I will be play going forward with Victor, I could better help orchestrate a more positive transition for everyone involved.

You should know that I will be resigning from the Board of Sixuvus and, along with Eric Anzalone who will also be resigning, will be dissolving Sixuvus, Ltd by December 1st, 2017. Once the dust settles, we will all be working as independent contractors as we all have our own LLCs. This will make it much easier for each of us to represent ourselves with respect to Can't Stop the Music, Harlem Music and Village People.

In conclusion, I want you to be aware that I am having a meeting soon with the other three Sixuvus Board Members Ray Simpson, Alexander Briley and Eric Anzalone, to fully inform them of my above-stated position on the settlement agreement and finalize our response to you offer.

In the meantime, please know that I am available to you 24/7 via email or cell.

Sincerely,

Felipe